

W. R. asks the Appeals Board of the Utah Labor Commission to reconsider its prior decision denying Ms. R.'s claim for benefits under the Utah Workers' Compensation Act ("the Act"; Title 34A, Chapter 2, Utah Code Ann.).

The Appeals Board exercises jurisdiction over this matter pursuant to Utah Code Ann. §63-46b-13.

ISSUE PRESENTED

Ms. R. contends the Appeals Board erred in its finding that Ms. R. was sometimes intoxicated while working at Smith's. Ms. R. does not identify any other specific errors in the Appeals Board's decision.

DISCUSSION

The Appeals Board has reviewed the material Ms. R. submitted in support of her request for reconsideration. Most of the material is not relevant to her claim for workers' compensation benefits; the remainder duplicates information already in the record. The Appeals Board notes Ms. R.'s contention that she did not report to work in an intoxicated state. Even accepting Ms. R.'s contention as true, it does not affect the Appeals Board's ultimate conclusion that Ms. R. has not proved she injured her neck and shoulder while working at Smith's.

Having once again reviewed this matter, the Appeals Board concludes its previous decision is correct and that Ms. R.'s claim for benefits must be denied for the reasons stated in that decision.

ORDER

The Appeals Board affirms its previous decision in this matter and denies Ms. R.'s request for reconsideration. It is so ordered.

Dated this 31st day of October, 2003.

Colleen S. Colton, Chair
Patricia S. Drawe
Joseph E. Hatch